

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

V.

1:13-cv-449-HSO
1:10-cr-102-HSO-RHW

JETHRO BROWN

CERTIFICATE OF APPEALABILITY

A final order adverse to the applicant having been filed in the captioned case, in which the detention complained of arises out of process issued by a state court or a proceeding pursuant to 28 U.S.C. § 2254, or the detention arises out of a judgment and conviction in federal court which is being challenged pursuant to 28 U.S.C. § 2255, the Court, considering the record in this case and the requirements of 28 U.S.C. § 2253, Rule 22(b) of the Federal Rules of Appellate Procedure, and Rule 11 of the Rules Governing Section 2254 and 2255 Cases in the United States District Courts, hereby finds that:

 X A Certificate of Appealability should not issue. The applicant has failed to make a substantial showing of the denial of a constitutional right.

 A Certificate of Appealability should issue for the following specific issue(s):

REASONS:

Defendant has not made a “substantial showing of the denial of a constitutional right.” See 28 U.S.C. § 2253(c)(2); *Elizalde v. Dretke*, 362 F.3d 323, 328 (5th Cir. 2004). Defendant’s Motions [114, 117, 118], the record, and relevant legal authorities do not demonstrate that Defendant is entitled to relief under 28 U.S.C. § 2255.

DATE: March 10, 2015.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE